

REMARKS/ARGUMENTS

With this amendment, claims 1 – 4, 6, 7, 10 – 12, 14 – 23, and 30 – 32 are in the application. Reconsideration is respectfully requested.

Patentability of the Claims

In rejecting independent claims 1 and 30, the Examiner cites column 4, lines 18 to 26 of Carroll as disclosing the previous limitation of the secured area having regions requiring different access authority. In particular, the Examiner quotes “...*progression of monitoring levels...*” as a logical inference that there are regions within a larger area having different security levels.

Applicant disagrees with this interpretation of Carroll. In this regard, a more complete quote from the cited portion of that reference includes: “[an advantage of the Carroll device] is *the flexibility it provides to its user to allow different levels of security and monitoring, at different times during a monitoring schedule...*”

Accordingly Carroll makes no reference either directly or implied to having regions requiring different access authority. Carroll is directed to varying the security level of the person involved as time passes, presumably for good behavior or other such reasons. There is nothing in Carroll that would imply having regions of different security within a larger secured area.

The Examiner's comment “...*for example, enforcement of a restraining order...*” cannot be found anywhere in Carroll. Since the Examiner only points to column 4 lines 18 to 26 as supposedly disclosing the use of the device within a secure area having regions of different security, and does not provide reference for “*the use of a restraining order*”, applicant respectfully submits that the Examiner is incorrect in his interpretation, and that Carroll does not disclose this feature.

In any event, a further limitation has been added to the claims.¹ Specifically, following authorization a new unique identifier is immediately transmitted to the transponder. This feature has been added as a specific step within the method of claim 30 and as a limitation relating to the transponder writer in claim 1. Carroll is silent on changing the identifier of the device once the prisoner having the transponder has been confirmed as being within the secure area. Further applicant submits that the Examiner cannot assert that the device of Carroll is able to achieve this, since there is no disclosure in Carroll to perform such an action. Following amendment of claim 1, the system is restricted to replacing the unique identifier upon each authorization. Carroll does not disclose this feature and, further, there would be no need for the unique identifier to be replaced according to the system of Carroll. Accordingly, applicant further submits that the Examiner cannot interpret text within Carroll to achieve this replacement of the identifier in the same manner that the regions within the secure area was incorrectly interpreted by the Examiner. In short, if Carroll does not clearly disclose this feature (and there is no reason why the invention of Carroll would do so), then nothing in Carroll can be interpreted as being capable of this when that reference is considered as a whole by one of ordinary skill.

Conclusion

In view of the foregoing, applicant believes that all of the currently pending claims are in condition for allowance, and an early notification to that effect is respectfully requested. If the Examiner has any questions, he is invited to contact applicant's attorney at the below-listed telephone number.

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¹ Applicant submits that amendments made in applicant's previously filed paper rendered the claims patentable over the art. Nonetheless, additional amendments are provided here in an effort to expedite allowance.